## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN, DUSTIN MOSKOVITZ, ANDREW MCCOLLUM, CHRISTOPHER HUGHES, FACEBOOK, INC.,

Defendants.

MARK ZUCKERBERG and FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

Civil Action No. 1:04-cv-11923 (DPW)

District Judge Douglas P. Woodlock

Magistrate Judge Robert B. Collings

## DECLARATION OF MEREDITH H. SCHOENFELD IN SUPPORT OF PLAINTIFF'S REPLY TO FACEBOOK DEFENDANTS' SUPPLEMENTAL OPPOSITION TO CONNECTU LLC'S POST-HEARING BRIEF

I, Meredith H. Schoenfeld, declare as follows:

I am an attorney with the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, counsel for Plaintiff ConnectU LLC and Counterdefendants Cameron Winklevoss, Tyler Winklevoss, and Divya Narendra ("collectively ConnectU"). I make this Declaration in support of Plaintiff's Reply To Facebook Defendants' Supplemental Opposition To Connectu LLC's Post-Hearing Brief. I am an active member in good standing of the Bars of the State of

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California and the District of Columbia. I have personal knowledge of the facts stated therein and if called as a witness, could and would competently testify thereto.

- 1. Attached hereto as Exhibit A is a true and correct copy of excerpts from the June 16, 2006 deposition transcript of Divya Narendra. [FILED UNDER SEAL.]
- 2. Attached hereto as Exhibit B is a true and correct copy of excerpts from the October 5, 2006 deposition transcript of Divya Narendra. [FILED UNDER SEAL.]
- 3. Attached hereto as Exhibit C is a true and correct copy of excerpts from the October 2, 2006 deposition transcript of Cameron Winklevoss. [FILED UNDER SEAL.]
- 4. Attached hereto as Exhibit D is a true and correct copy of excerpts from the 30(b)(6) August 9, 2005 deposition transcript of Cameron Winklevoss. [FILED UNDER SEAL.]
- 5. Attached hereto as Exhibit E is a true and correct copy of an assignment from Sanjay Marinkurve to ConnectU LLC, bearing bates no. CO11345-346. [FILED UNDER SEAL.]
- 6. Attached hereto as Exhibit F is a true and correct copy of a letter sent from G. Hopkins Guy, counsel for Facebook Defendants to counsel for ConnectU on June 15, 2006.
- 7. Attached hereto as Exhibit G is a list compiled by ConnectU of all briefs filed and orders issued in connection with Defendants' Motion to Dismiss.
- 8. Attached hereto as Exhibit H is a true and correct copy of a Motion to Remand, filed in 611, LLC v. US Lubes, LLC, Civil Action No. CCB-05-3417 in the District of Maryland.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Declaration is executed on the 12th day of January 2007.

> /s/ Meredith H. Schoenfeld Meredith H. Schoenfeld

## **CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on January 12, 2007.

/s/ John F. Hornick John F. Hornick